

REMARKS/ARGUMENTS

Claims 1-43 are canceled, and claims 44-75 are newly added. Claims 44-75 are now pending in the application. Applicants respectfully request reexamination and reconsideration of the application.

Initially, Applicants note that all of new claims 44-75 are readable on elected Species II (corresponding to Figures 6, 7A, and 7B) of the Restriction of December 16, 2003.

Claims 21, 22, and 24-27 were rejected under 35 USC §102(b) as anticipated by US Patent No. 3,998,377 to Metz ("Metz"), and claims 23 and 43 were rejected under 35 USC §103(a) as obvious in view of Metz and US Patent No. 6,122,823 to Kira et al. ("Kira"). Claims 21-27 and 43 have been canceled without prejudice, mooted these rejections.

Neither Metz nor Kira, whether taken singly or in combination, is relevant to new claims 44-75. Metz is directed to bonding two work pieces together. Kira is directed to creating multi-chip package modules. In stark contrast, new claims 44-70 are directed to a "probe assembly," and new claims 71-75 are directed to a "method of planarizing a plurality of probes." As should be expected, references directed to bonding work pieces together or making a multi-chip package module, contain no teachings of a "probe assembly" or a "method of planarizing a plurality of probes." Indeed, Metz and Kira lack every element of new claims 44-75. Therefore, new claims 44-75 patentably distinguish over Metz and Kira, whether taken singly or in combination.

In view of the foregoing, Applicants submit that all of the claims are allowable and the application is in condition for allowance. If the Examiner believes that a discussion with Applicants' attorney would be helpful, the Examiner is invited to contact the undersigned at (801) 323-5934.

Respectfully submitted,

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